**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH**
**AT HYDERABAD**

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE S.ANANDA REDDY**

**WRIT PETITION NO : 6183 of 1997**

Between:
G. Venkat Ramaiah, S/o. Ramakrishnaiah
Occ: Work Inspector, Nagarjuna Sagar Canals Campus,
O&M Sub Division, Kodad, Jaggayyapet Division,
Miryalguda Circle, Nalgonda District.

..... PETITIONER

AND

1. Government of Andhra Pradesh

   Rep. By its Secretary, Irrigation and CAD Department,

   Secretariat Buildings, Hyderabad.

2. Chief Engineer, Nagarjuna Sagar Canals Project,

   Administrative Buildings, Hill Colony – 508 202

   Nagarjuna Sagar, Nalgonda.

3. Superintending Engineer, Nagarjuna Sagar Canals
   O&M Circle, Miryalguda, Nalgonda.

4. Executive Engineer, Nagarjuna Sagar Canals,

   O&M Division, Jaggayyapet, Miryalguda Circle,
   Nalgonda district.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring G.O.Ms.No.62 Irrigation and Command Area Development (Services-V) Department dated 21.05.1996, on the file of the 1st respondent herein as illegal, void.

Counsel for the Petitioner: SMT.G.JYOTHI KIRAN

Counsel for the Respondents: GP FOR IRRIGATION

**The Court made the following ORDER:**

This writ petition is filed by the petitioner praying for issue of writ of *mandamus* declaring the rules framed in G.O.Ms.No.62 Irrigation and Command Area Development (Services-V) Department dated 21.05.1996 as illegal, arbitrary and for further direction to the respondents to continue him till he attains the age of superanuation of 60 years.

This Court, while admitting the writ petition, passed interim order directing the respondents to continue the petitioner till the petitioner attains the age of superannuation of 60 years.

This writ petition was filed in the year 1997, when the petitioner was aged 58 years. The petitioner must have continued up to 60 years by virtue of the interim orders and retired on attaining the age of 60 years.

In that view of the matter, the cause of action in the writ petition does not survive and the writ petition is accordingly dismissed as infructuous. No costs.

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S. Ananda Reddy, J

Date: 21.09.2004

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To

1. The Secretary, Government of Andhra Pradesh

   Irrigation and CAD Department,

   Secretariat Buildings, Hyderabad.

2. The Chief Engineer, Nagarjuna Sagar Canals Project,

   Administrative Buildings, Hill Colony – 508 202

   Nagarjuna Sagar, Nalgonda.

3. The Superintending Engineer, Nagarjuna Sagar Canals
   O&M Circle, Miryalguda, Nalgonda.

4. The Executive Engineer, Nagarjuna Sagar Canals,

   O&M Division, Jaggayyapet, Miryalguda Circle,
   Nalgonda district.

5. Two CCs to G.P for Irrigation, High Court of A.P. Buildings,
   Hyderabad(OUT)

6. Two CD Copies